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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/068,847 | 02/11/2002 | Hee Young Yun | 8733.059.21 | 9705 |

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| EXAMINER | |
|---|---|
| TON, MINH TOAN T | |
| **ART UNIT** | **PAPER NUMBER** |
| 2871 | |

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/068,847 | YUN ET AL. | |
| | Examiner | Art Unit | |
| | Toan Ton | 2871 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *13 March 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *15-67* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. 08/888,164.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

***Double Patenting***

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 15-67 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Patent No. 6373537. Although the conflicting claims are not identical, they are not patentably distinct from each other because the present claims are broader in scope in the patented claims of U.S. Patent No. 6373537.

Claims 15-67 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-34 of U.S. Patent No. 6020942. Although the conflicting claims are not identical, they are not patentably distinct from each other because the present claims are broader in scope in the patented claims of U.S. Patent No. Although the conflicting claims are not identical, they are not patentably distinct from each other because the present claims are broader in scope in the patented claims of U.S. Patent No. 6020942.

Claims 15-67 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-52 of U.S. Patent No. 6002457. Although the conflicting claims are not identical, they are not patentably distinct from each other because the present claims are broader in scope in the patented claims of U.S. Patent No. Although the conflicting claims are not identical, they are not patentably distinct from each other because the present claims are broader in scope in the patented claims of U.S. Patent No. 6002457.

***Claim Objections***

3. Claim 24 is objected to because of the following informalities: "capable of" should be deleted.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 15-16, 18, 20-24, 26, 28-29, 31, 33-35, 37, 39-44, 46-49, 51-55 and 57-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Masanori (JP 07-099394).

Masanori discloses a flat display device comprising (see at least Figure 1): a first structure 6 having a plurality of first surfaces (e.g., side surfaces); a second structure 8 having at least one second surface substantially parallel to a predetermined one of the plurality of first surfaces; a flat display panel 2 adjacent the first and second structures, the flat panel display comprising a display surface for displaying an image, wherein the display surface is substantially nonparallel with the plurality of first surfaces.

Masanori discloses (immovably) fixing means for fixing the first and second structures together, wherein the fixing means comprise such as screw(s). Further, Masanori discloses fixing means the two structures via screws through holes in the side surfaces/edges (see at least Figure 1), i.e., fixing surfaces are nonparallel to with the display surface.

Masanori discloses the second structure comprising second and third surfaces (see at least Figure 1).

Masanori discloses the first structure 6 contacting the flat display panel 2 (see at least Figure 1).

Masanori discloses the flat display panel being a liquid crystal display panel (see at least Abstract).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 17, 19, 25, 27, 30, 32, 36, 38, 45, 50, 56 and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masanori as applied to claims 15-16, 18, 20-24, 26, 28-29, 31, 33-35, 37, 39-44, 46-49, 51-55 and 57-64 above.

Other fixing means such as hooks, adhesive material are at least obvious variations (i.e., not patentably distinct) to fixing means such as screws since all are desired for securing structures together. Therefore, it would have been at least obvious to one of ordinary skill in the art to employ fixing means such as hooks, adhesive, screws, as at least obvious variations (i.e., not patentably distinct) to each other for advantages such as properly securing structures together.

Portable devices incorporating liquid crystal display are common and known in the art since LCD offers advantages such as lightweight, high resolution. Therefore, it would have been at least obvious to one of ordinary skill in the art to employ portable devices incorporating liquid crystal display, as common and known in the art, since LCD offers advantages such as lightweight, high resolution.

### *Response to Arguments*

8. Applicant's arguments with respect to all newly added claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan Ton whose telephone number is (571) 272-2303.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 21, 2005

PRIMARY EXAMINER